

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

Samuel Joseph Orlando,)
Plaintiff,) Civil Action No. 5:23cv00012
)
v.) ORDER
)
Bristol Neal, et al.,) By: Joel C. Hoppe
Defendants.) United States Magistrate Judge

This matter is before the Court on Plaintiff's motion for order to show cause, ECF No. 81, fourth motion to show cause, ECF No. 83, and motion for sanctions against deponent James Gragg, ECF No. 97. The parties appeared in person for a hearing on December 12, 2023. The Court has considered the motions, the parties' arguments, and the applicable law. For the reasons stated on the record during the hearing, the Court ORDERS as follows:

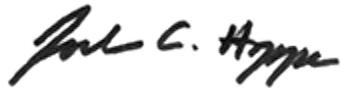
1. Plaintiff's motion to show cause, ECF No. 81, is GRANTED IN PART, DENIED IN PART. Defendant Rebecca Byrd Neal is DIRECTED to respond to Plaintiff's First Request for Production of Documents, ECF No. 81-1, request numbers 1, 4, 5, 6, 7, 33, and 34 within thirty (30) days of entry of this Order. The other requests for production of documents are stricken as vague and overbroad. Additionally, pursuant to Rule 30(a)(2)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff is authorized to depose Defendants Rebecca Byrd Neal and Bristol Neal a second time. The parties shall cooperate in scheduling those depositions at a mutually convenient time and place. All other requested relief is DENIED.

2. Plaintiff's fourth motion to show cause, ECF No. 83, is DENIED.

3. Plaintiff's motion for sanctions against deponent James Gragg, ECF No. 97, is GRANTED. Plaintiff is authorized to conduct an oral deposition of James Gragg, Fed. R. Civ P. 30(a)(1), (a)(2)(A)(ii), upon issuance of a proper notice, Fed. R. Civ P. 30(b)(1).

It is so ORDERED.

ENTER: December 14, 2023



Joel C. Hoppe
United States Magistrate Judge

